

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**BILLY J. MULLINS, JR. and  
FARAWAY ENTERPRISES, INC.**

**Plaintiffs,**

**v.**

**TESTAMERICA, INC., SAGAPONACK  
PARTNERS, L.P., MARC WEISMAN,**

**Defendants.**

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**CAUSE NO. 3-02-CV-0106-K**

**MOTION FOR JUDGMENT**

Plaintiff, FARAWAY ENTERPRISES, INC., files this Motion for Judgment and asks the Court to order the clerk to enter judgment against TESTAMERICA, INC., SAGAPONACK PARTNERS, L.P., and MARC WEISMAN based on the jury's findings and would respectfully show the Court as follows:

**I.**

Plaintiff is FARAWAY ENTERPRISES, INC. and Defendants are TESTAMERICA, INC., SAGAPONACK PARTNERS, L.P., and MARC WEISMAN. Plaintiff sued Defendants for breach of contract, common law fraud, and for violating the Texas Uniform Fraudulent Transfer Act. Plaintiff sought actual and punitive damages.

After a trial on the merits, the Court submitted this case to the jury. The findings of the jury entitle Plaintiff to judgment against Defendants. Plaintiff moves for entry of judgment on the jury verdict.

Plaintiff requests that the judgment be set forth on a separate document as required by Federal Rule of Civil Procedure 58(a)(1). FED. R. CIV. P. 58(d). Plaintiff has

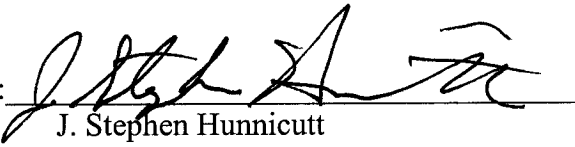
provided a proposed judgment with this motion. Plaintiff has also filed a brief in support of this motion.

**II.**

For the foregoing reasons, Plaintiff asks the Court to order the clerk to enter judgment in favor of Plaintiff and against Defendants.

Respectfully submitted,

**THE HUNNICUTT LAW FIRM**

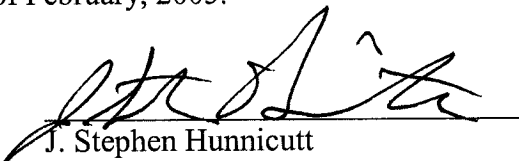
By:   
J. Stephen Hunnicutt  
State Bar No. 10279510

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ATTORNEYS FOR PLAINTIFFS

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing instrument was served on counsel of record via facsimile and hand delivery, on this the 25 day of February, 2005.

  
J. Stephen Hunnicutt